

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

**MELVIN WILMER DIAZ-
CALDERON,**

Petitioner,

vs.

WILLIAM P. BARR, ET AL.,

Respondents.

2:20-CV-11235-TGB-APP

ORDER OF DISMISSAL

On November 11, 2020, this Court entered an order granting Petitioner's Ex Parte Application or Habeas Corpus and Denying Respondents' request to dismiss. ECF No. 55. On November 20, 2020, Respondents filed a Notice of Appeal to the United States Court of Appeals for the Sixth Circuit. ECF No. 58. On August 16, 2021, Respondents voluntarily dismissed the Appeal. ECF No. 69. On January 25, 2022, this Court held a status conference where both parties conceded there were no pending substantive matters in this case, but that the parties were in negotiations concerning Plaintiff's request for attorney fees. Plaintiff stated that he intended to file such a request once a final order was entered. Therefore, in accordance with the Opinion and Order issued on November 11, 2020:

It is **HEREBY ORDERED AND ADJUDGED** that this case is **DISMISSED**. The Court retains jurisdiction to consider any requests for attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412 and 5 U.S.C. § 504, and as may be allowed under Rule 54 of the Fed. R. Civ. P.

IT IS SO ORDERED.

Dated: February 16, s/Terrence G. Berg
2022 TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE